

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2800

JAN 24 2003

RECEIVED

In re Application of: ZACHRIE

Serial No.: 09/976,249

Group Art Unit: 1616

Filed: October 15, 2001

Examiner: Unassigned

For: DIOXOLANE ANALOGS FOR IMPROVED INTER-CELLULAR DELIVERY

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

CITED MATERIALS

Applicant(s) hereby disclose the information listed in the attached form PTO-1449.

- ☐ Copies of materials listed but not attached were cited in parent application Serial No. ____; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an International Search Report dated ____; receipt of the International Search Report and copies of references was confirmed by the PCT International Division of the U.S. PTO in the Notice of Acceptance mailed ____.

ADDITIONAL INFORMATION

Applicants wish to inform the Examiner of two related copending applications, i.e. Serial No. 09/536,459 (on appeal) and its divisional application Serial No. 10/046,289. Both of these application claim the benefit of U.S. Provisional Application U.S. 60/126,734, filed March 29, 2000, and U.S. Provisional Application U.S. 60/126,813, filed March 29, 2000.

LANGUAGE

- ☐ All listed materials are in the English language; see 37 C.F.R. § 1.98.
- ☐ Non-English language references:
 - ☐ The reference(s): _____ in the English-language is (are) indicated by commercial data bases to correspond to the reference(s): _____, respectively.

☐ (An) English-language translation(s) of the references: is (are) provided.

☐ A commercial English-language abstract of reference(s) is (are) provided.

☐ An English-language search report or an equivalent paper from a foreign patent office translated into English in pertinent part in connection with a counterpart foreign application, is provided indicating the relevance of the cited reference(s).

FEES

☒ No fee is required for this Information Disclosure Statement because:

☐ This Information Disclosure Statement is being filed within three months of the filing date of a national application (other than a CPA) under § 1.53(d) or within 3 months of the date of entry of the national stage under § 1.491 in an international application;

☒ This Information Disclosure Statement is being filed before the mailing of a first action on the merits;

☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that closes prosecution in the application, and is accompanied by a certification below.

☐ This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(i).

☐ A fee is required for this Information Disclosure Statement:

☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311 or an action that closes prosecution, and is accompanied by the fee set forth in §1.17(p).

☐ This Information Disclosure Statement is being filed after the mailing date of a final rejection or a notice of allowance under § 1.311 or an action that closes prosecution, but before the payment of the issue fee, and is accompanied by the fee set forth in § 1.17(p) and a certification below.

CERTIFICATION

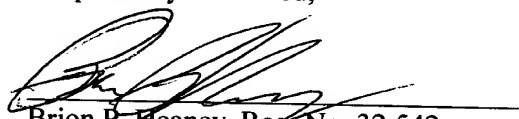
☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, no such item was known to any individual designated in 37 CFR § 1.56(c), more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

If a fee is due, attached is a check in the amount of \$ _____. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,


Brion P. Heaney Reg. No. 32,542
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: PHARMA-123

Date: January 23, 2003
BPH/casK:\PHARMA\123\IDS.doc